

## **WEST ST. PAUL PLANNING COMMISSION**

The regular meeting of the West St. Paul Planning Commission was called to order by Chair Hubert on Tuesday, November 17, 2015, at 7:00 p.m. in the Municipal Center Council Chambers, 1616 Humboldt Avenue, West St. Paul, Minnesota, 55118.

### **ROLL CALL**

Commissioners present: Chair Hubert, Vice Chair Leuer and Commissioners Fernandez, McPhillips, Kavanaugh and Ramsay.

### **Absent:**

Commissioner Nelson.

### **Also Present:**

Assistant Community Development Director Boike and Council Liaison Bellows.

### **APPROVE MINUTES**

**ON MOTION of Leuer, seconded by McPhillips, RESOLVED to approve the West St. Paul Planning Commission meeting minutes of October 20, 2015 as written.**

Ayes: 6      Nays: 0

### **PUBLIC HEARINGS**

#### **CASE # 15-15**

**Site Plan Amendment For The Development Of Seven Townhomes At Wentworth Estates (255 – 281 Wentworth Avenue East) – Ronel Builders, LLC**

Assistant Community Development Director Boike reviewed the request from Ronel Builders, LLC for a Site Plan amendment for the Wentworth Estates townhome development located at 255 – 281 Wentworth Avenue. The location of the townhomes are west of the intersection of Wentworth and Oakdale Avenue. The townhomes front Wentworth to the south with the golf course pond to the west and the golf course to the north.

Bonfe Homes obtained Site Plan approval in 2005 for the construction of thirteen townhomes, six of which were built. The applicant is proposing to complete the townhome development per the original plans however the applicant is requesting to amend the rear setbacks of the seven remaining townhomes in order to allow for rear porches and decks.

Mr. Boike said included in the Committee's packets are copies of the application, copies of the public notice sent out for the Public Hearing as well as copies of the submitted plans.

Mr. Boike explained the subject property currently consists of six (6) existing townhomes and vacant pads for seven (7) remaining townhomes. Adjacent properties to the west and north consist of city owned golf course property. Adjacent properties to the east consist of single family homes and adjacent properties to the south consist of light industrial uses.

The subject property is zoned PRD, Planned Residential Development with R3 Townhouse Residential underlying zoning. Adjacent properties to the west, north and east are zoned R1, Single Family Residential and the adjacent properties to the south are zoned I1, Light Industrial.

Ronel Builders, LLC has purchased the remaining land to develop seven townhomes as part of the Wentworth Estates development. The applicant is proposing to build the townhomes according to the original Site Plan (similar to the existing townhomes) however the applicant is requesting the ability to add rear porches and decks.

Staff is recommending APPROVAL of the SITE PLAN AMENDMENT subject to the revised plans and subject to the following conditions (includes original conditions *and revised / newly recommended conditions in italics*):

1. All Parking spaces to be 9 x 20 feet in size.
2. ~~Appropriate screening on the East side of the property, based on a meeting between the applicant, the neighbor and City Staff.~~ *The applicant shall install a six-foot maintenance free fence along the east property line as approved by Staff.*
3. Addition of underground irrigation for all grass on the site.
4. Addition of appropriate signage as per Fire Codes to identify "Fire Lanes".
5. ~~Plan must be revised to incorporate 64.5 more caliper inches of quality replacement trees.~~ *The applicant shall submit a landscape plan upon application of a building permit for the undeveloped portion of the property. Said landscape plans shall adhere to Section 5.8(4) of the Zoning Ordinance.*
6. *The applicant shall obtain all applicable building permits for the development of the property.*
7. *The applicant shall submit a revised site plan showing the entire property upon application of a building permit. Said site plan shall depict minimum rear yard setback of 18 feet for both rows of townhomes.*

Chair Hubert asked the Commissioners if there were any questions for Assistant Community Development Director Boike.

Commissioner Fernandez asked about the single family home to

the east of the proposed townhomes #10 – 13 in regards to what part of the house is closest to them. Mr. Boike said the side of the house is closest to the townhomes with the garage being on the east side of the property. Commissioner Fernandez asked if the six foot privacy fence is going to be required to which Mr. Boike answered yes.

Vice Chair Leuer asked if the decks were originally part of the site plan. Mr. Boike said the first six townhomes had original approval but the new seven remaining townhomes did not have approval for the decks and porches.

Commissioner Ramsey said there will be eighteen feet from the townhome to the privacy fence and asked what the distance would be from the privacy fence to the single family home. Mr. Boike didn't have that information in front of him but thought at least a six foot setback should be in place.

Commissioner Fernandez asked if the neighbors have made any comments. Mr. Boike replied that Public Notices were sent out and he has not heard from anyone.

Commissioner Kavanaugh asked about the PRD flexibility and what does the code say? Mr. Boike said the Plan development language allows for increased density for residential developments -a variation from setback requirements and that tag allows the Council to allow for some flexibility in terms of density requirements and setback requirements.

Commissioner McPhillips asked if the neighbors were objecting could the driveways be shortened. Mr. Boike said there is no set minimum for driveway depth but he assumes that the applicant would want to maintain at least a vehicle depth.

Chair Hubert asked the applicant to step forward to see if there were any questions from the Commissioners. Mr. Bob Ronning, President of Ronel Builders, LLC stepped forward. Commissioner McPhillips commented on the nice location of the property.

Since there were no questions Chair Hubert opened the Public Hearing at 7:16 p.m. Kelly Strebis, 261 Wentworth, President of the Wentworth Estates Townhome Association said they support adding porches and decks and urged the Planning Commission to

approve them also.

Chair Hubert asked if the association had any opinions on the privacy fence on the east side facing the single family home being a requirement from the builder. Mr. Strebig stated not really and said his personal choice was to not have the fence so the area was kept more open.

Mrs. Strebig stated she would prefer to have the privacy fence and commented on the fact that interested parties have stopped and talked to her regarding the new seven townhomes being built but said they would prefer to have decks and porches. Mr. Strebig reiterated the position and the support the Association has with the addition of the decks and porches.

Chair Hubert asked if there were any other members of the public that would like to come forward on the issue. There was no other members of the public so he closed the public hearing at 7:19 p.m.

**ON MOTION by Ramsay, seconded by Leuer, the Planning Commission recommended approval of Case #15-15, the Site Plan Amendment For The Development of Seven Townhomes At Wentworth Estates (255 – 281 Wentworth Avenue East) – Ronel Builders, LLC.**

**Ayes: 6      Nays: 0      Abstain: 0**

Chair Hubert confirmed with Assistant Development Director Boike that the case would go to City Council for consideration on Monday, November 23<sup>rd</sup>, 2015 at 6:30 p.m.

**CASE # 15-16**

**Zoning Ordinance**

**Amendment, Section 37.8**

**To Allow Off-Premises**

**Signs Through A**

**Conditional Use Permit in**

**the B3, B4 and B6**

**Commercial Districts –**

**City of West St Paul**

Assistant Community Development Director Boike said the City Council is recommending the proposed Zoning Ordinance amendment be reviewed by the Planning Commission which would allow off-premise signage to be located on properties directly adjacent to Robert Street through a Conditional Use Permit. This signage would benefit only those commercial properties that directly abut a property that is directly adjacent to Robert Street. The proposed amendment is a result of a request from an existing property owner located one property off of Robert Street who has had discussions with their neighboring property owner who is directly located on Robert Street about locating signage on their property. The Zoning Ordinance does not currently allow off-premise signage in commercial districts thus if this is to be allowed this amendment would be required.

The attached amendment would allow off-premise signage through a Conditional Use Permit in the B3, B4 and B6 Districts based on the following requirements:

- a. Sign must be located on a property directly adjacent to Robert Street.
- b. Off-premises signage is for a commercial zoned business directly adjacent to the property on which the sign is located.
- c. The off-premise signage must be on a free-standing sign.
- d. Only one free-standing sign is allowed for each property. The sign must meet the design requirements as outlined in Section 37.7(6) which basically states the base of the monument must be comprised of brick, stone, stucco or decorative block to compliment the principle building on the property.
- e. If the off-premises sign is co-located on signage for the property on which the sign is located, the size of the entire sign may be increased to a maximum of 70 square feet. Maximum height is limited to 10 feet.
- f. Up to a maximum of two businesses may be co-located on a free-standing sign.

If the proposed amendment is approved by Council, any property owner who meets the requirements will then be required to apply for a Conditional Use Permit to construct an off-premises sign on their property. Details relating to each individual sign will be reviewed through the Conditional Use Permit process.

Staff is recommending holding a Public Hearing tonight and the Planning Commission recommend APPROVAL of the ZONING ORDINANCE AMENDMENT to the City Council.

Chair Hubert asked if there were any questions from the Commissioners. Commissioner McPhillips asked if there were any examples that could be sited. Mr. Boike said there are not any but the request came from Culver's who have had discussions with Bobby and Steve's about getting some signage on their sign because they have a little bit of a visibility issue.

Commissioner Ramsey asked if the Culver's sign could be on Bobby and Steve's sign or does it need to be on a whole new structure. Mr. Boike said it could be incorporated into the

existing sign but it still has to meet the requirements outlined. Culvers is wanting a 20 foot square foot section off the side of it and so it appear as one sign.

Commissioner Fernandez said signs are a big issue especially on Robert Street and is grasping as to what it will look like. Commissioner Ramsay said the new style sign that the city is looking for is like the Beirut Restaurant sign just put in and Culver's is a great example of a business getting lost on Robert Street.

Boike said according to MNDot standards in order to get signage out on the freeway, the property for that freeway sign has to be directly adjacent to the road the sign is referring to so Culver's cannot get a sign saying the restaurant is off a particular exit.

Boike said there are approximately 23 – 25 other properties this amendment could benefit where there is a commercial business directly adjacent to a business on Robert Street that if approved there could be potential of some other co-signage or off premise signs in the future.

Commissioner Leuer asked who it is up to for the second spot on the sign. Mr. Boike said it was up to the business who owns the sign.

Chair Hubert wondered if any state regulations would impact signage on Robert Street. Boike stated it would not impact the signage on Robert Street.

Commissioner McPhillips said how far adjacent can it be. Mr. Boike said as long as it abuts the property and that property abuts Robert Street. Commissioner McPhillips commented that it sounds like whoever owns the sign that their property just became more valuable.

Commissioner Kavanaugh said this amendment might encourage some pylon signs to come down. Mr. Boike said it could.

Public Hearing is opened at 7:33 p.m. and closed at 7:33 p.m.

**ON MOTION by Leuer, seconded by Ramsay, the Planning Commission recommended approval of Case #15-16, the Zoning Ordinance Amendment, Section 37.8 to allow off-**

**premises signs through a Conditional Use Permit in the B3, B4 and B6 Commercial Districts – City of West St. Paul.**

**Ayes: 6      Nays: 0      Abstain: 0**

Chair Hubert said this amendment will also be recommended to the City Council next Monday, November 23<sup>rd</sup>, 2015.

**CASE # 15-17**

**Zoning Ordinance**

**Amendment, Section 25.2**

**To Allow Private Garages**

**Through A Conditional**

**Use Permit In The B5**

**District – City Of West St. Paul**

Assistant Community Development Director Boike said the City Council is recommending the attached Zoning Ordinance Amendment be reviewed by the Planning Commission which would allow private garages (including carports) to be constructed in a B5 District through a Conditional Use Permit. The proposed amendment is a result of a request from an existing property owner in the district who would like to construct a permanent garage / carport on their property. The Zoning Ordinance does not currently allow private garages / carports in the district therefore the attached amendment is required to proceed.

Attached is a draft amendment that would allow garages / carports through a Conditional Use Permit in the B5 District based on the following requirements:

- a. Principal Use of the property is Mixed-use;
- b. Property includes an owner occupied residential unit;
- c. Structure meets the provisions of Section 33.7. In addition, metal framing and metal roofing is not allowed.
- d. Carport structures must be secured to a cement slab or footing.

Staff is recommending holding a Public Hearing tonight and the Planning Commission recommend APPROVAL of the ZONING ORDINANCE AMENDMENT to the City Council.

Commissioner Leuer asked how many properties along Robert Street currently have garages / carports. Mr. Boike said it is very minimal.

Commissioner Ramsay asked if this carport would be visible from Robert Street. Mr. Boike said it would be to the rear of the building off of the alley.

Chair Hubert opened the Public Hearing at 7:39 p.m. and since there was no one in the audience he closed the Public Hearing at 7:39 p.m.

**ON MOTION** by McPhillips, seconded by Kavanaugh, the Planning Commission recommended approval of Case # 15-17, the Zoning Ordinance Amendment, Section 25.2 to allow private garages through a Conditional Use Permit in the B5 District – City of West St. Paul.

**Ayes: 6      Nays: 0      Abstain: 0**

The application will go to Council for consideration on Monday, November 23, 2015.

**NEW BUSINESS:**

None.

**OLD BUSINESS:**

The Planning Commission meeting for December has been shifted to Wednesday, December 16, 2015 at 7:00 p.m.

There was talk regarding changing the start time to 6:00 or 6:30 p.m. Chair Hubert said personally 6:30 p.m. would be a good time for him. Commissioner McPhillips said anytime earlier or later would work. Commissioner Kavanaugh and Fernandez said they prefer the 7:00 p.m. start time. The start time stays at 7:00 p.m.

**ADJOURNMENT:**

**ON MOTION** of McPhillips, seconded by Ramsay, Commissioners **RESOLVED** to **ADJOURN** the November 17, 2015 regular meeting of the Planning Commission at 7:44 p.m.

All Ayes. 6/0.